

REMARKS

Claims 1-24 are pending in the application. Claims 1 and 11 are the only independent claims.

Restriction Requirement

Claims 1-24 stand subject to a Restriction Requirement according to which the Examiner has divided the claims into two groups, namely, Group I including claims 1-10 directed to a prosthesis, and Group II containing claims 11-24 drawn to a method for reshaping a portion of an organism. The Examiner supports the rejection by contending that the method of Group II can be used for changing the shape of any portion of an organism for cosmetic surgery (e.g., cheek or calf implants) and therefore the method is not limited to use of the product of Group I.

In response to the Restriction Requirement, applicant hereby provisionally elects the claims of Group I, i.e., claims 1-10, for continued prosecution in the application. The election is made with traverse on the grounds that while it is true that the method of Group II can be used for changing the shape of any portion of an organism for cosmetic surgery, it is not true that the method is not limited to use of the product of Group I. In particular, the method of independent claim 11 incorporates the structural limitations of apparatus claim 1 and thus requires the use of the prosthesis of claim 1.

As set forth in claim 1, a prosthesis comprises a body member made of biocompatible material and having a plurality of inflatable chambers. Fluid guide elements are operatively connected to respective chambers for enabling a differential pressurization of the chambers with a fluid.

Claim 11 is directed to a method for reshaping a portion of an organism, that method utilizing a body member made of biocompatible material, the body member having a plurality of inflatable chambers. The method comprises implanting the body member into a patient in a pre-established location, selecting a desired shape of the portion of the organism, and differentially expanding the chambers with a fluid to respective fill levels to at least approximate the desired shape.

In contravention of the Examiner's contention, the process for using the product as claimed clearly cannot be practiced with another materially different product.

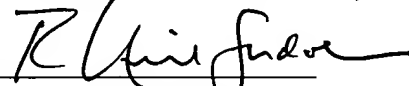
It is to be noted in addition that the prosthesis of claim 1 can be used for changing the shape of any portion of an organism for cosmetic surgery.

For the above reasons, applicant respectfully requests that the Examiner withdraw the restriction requirement and examine all of the claims of the application together.

Should the Examiner believe that direct contact with applicant's attorney would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the number below.

Respectfully submitted,

COLEMAN SUDOL SAPONE, P.C.

By: 
R. Neil Sudol
Reg. No. 31,669

714 Colorado Avenue
Bridgeport, CT 06605-1601
(203) 366-3560

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